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CONCORD, N.H.

Mr. James J. Barry
Commissioner
Welfare Department
State House Annex

Dear Mr. Barry:

By your letter of September 26th, you inquire whether old age assistance liens filed on real estate from January 21, 1939 through May 26, 1942 are valid against that real estate, even though it has been subsequently sold. The lien law, as it existed prior to 1942, see Revised Laws, chapter 126, section 32, would be the statute applicable. It provides that the Commissioner shall file with the register of deeds a certificate showing the amount of assistance paid to said person and such certificate shall be a legal claim against the person and his estate and have the same force and effect as a judgment at law.

A judgment at law is valid for twenty years. The lien having the same force and effect as a judgment would therefore appear to be valid until May 26, 1962. Purchasers of this property would acquire same, subject to the lien.

It is the opinion of this office that the lien on this property is still valid, and execution may be had in the same manner as any other judgment.

Sincerely yours,

William J. Doachman
Assistant Attorney General

WJD/lz